



**CITY OF KINGSTON PLANNING BOARD
MEETING MINUTES
April 13, 2015
Common Council Chambers – 6:00 PM**

NOTES: (1) These meeting minutes are a summarization of notes and not an absolute transcript of dialogue. (2) All public hearings are conducted after open public speaking and any comment received is included within the written section of the minutes. (3) In the absence of full Planning Board Members, or in the case of a necessary abstention, the Planning Board Alternates will participate in the vote in order of seniority. (4) The meeting agenda was not followed in order. The items were called based on the presence of the applicants. (5) Chairman Wayne D. Platte Jr. was absent for the beginning of the meeting. He entered the meeting for the discussion of Item #9 and resumed the role of Chairman for items #3, 4, 5, 11, 12, 13, 14.

A meeting of the City of Kingston Planning Board was held on April 13, 2015 in the Common Council Chambers at Kingston City Hall, 420 Broadway, Kingston, New York. The meeting was called to order at 6:00 PM by Vice Chairman John Dwyer Jr.

BOARD/ALTERNATE MEMBERS PRESENT: Wayne D. Platte, Jr., Chairman; John Dwyer Jr, Vice Chairman, MaryJo Wiltshire, Charles Polacco, Robert Jacobsen, Jonathan Korn, Jamie Mills and William Tubby.

STAFF PRESENT: Suzanne Cahill, Planning Director; Kyla Haber, Assistant Planner

GENERAL NOTES: Vice-Chairman Dwyer reviewed the following:

1. Pledge of Allegiance was recited
2. Introduction of all Board Members and Staff Present
3. Identify exits, bathrooms, no elevator in case of emergency
4. Asked audience to silence cell phones, conversations should be taken out of room
5. Asked audience to respect speakers

REGULAR BUSINESS:

Item #1: Open Public Speaking (6:00P.M. – 6:15 P.M.)

No one spoke during the open public speaking portion of the meeting. Vice Chairman Dwyer closed the public hearing.

Item #2: Adoption of the March 9, 2015 Planning Board minutes.

Discussion: Vice Chairman Dwyer asked the Board if they had any comments or corrections.

Decision: The Board voted unanimously to adopt the March 9, 2015 Planning Board minutes. (JD, MW, CP, RJ, JK – yes)

PUBLIC HEARINGS:

Item #3: **#336 Broadway** SPECIAL PERMIT renewal to operate an automotive repair facility. SBL 56.26-11-12. SEQR Determination. Zone C-2. Heritage Area. Ward 9. Robert Kerrigan; applicant/owner.

Discussion: No one spoke at the public hearing. The applicant was not present to discuss the renewal application.

Decision: The Board voted unanimously to table the application and request that the applicant be present at the May 11, 2015 meeting. (WP, JD, MW, CP, RJ – yes)

Item #4: **#187-189 O'Neil Street** SPECIAL PERMIT renewal for Residential Care/Assisted Living Facility. SBL 48.318-6-22. SEQR Determination. Zone R-2. Ward 5. Family of Woodstock; applicant/owner.

Discussion: No one spoke at the public hearing. The applicant was not present to discuss the renewal application.

Decision: The Board voted unanimously to table the application and request that the applicant be present at the May 11, 2015 meeting. (WP, JD, MW, CP, RJ – yes)

Item #5: **#38-50 Thomas Street** SPECIAL PERMIT renewal for emergency shelter use. SBL 56.25-4-44. SEQR Determination. Zone O-3. Ward 5. Family of Woodstock; applicant/owner.

Discussion: No one spoke at the public hearing. The applicant was not present to discuss the renewal application.

Decision: The Board voted unanimously to table the application and request that the applicant be present at the May 11, 2015 meeting. (WP, JD, MW, CP, RJ – yes)

Item #6: **#685 Broadway** SPECIAL PERMIT renewal for auto sales and repairs. SBL 56.92-3-21. SEQR Determination. Zone C-2, Heritage Area. Ward 4. Dago A. Meraz; applicant/owner.

Discussion: No one spoke at the public hearing. Dago Meraz was present at the meeting. The Board reviewed the proposal for renewal of the special permit. The original permit was issued in May 2004 for auto repair. During the renewal in 2005, the permit was expanded to include auto sales. The most recent renewal was in April 2015 for a period of 1 year.

D. Meraz confirmed that there have been no changes to the permit since the previous meeting. The hours of operation are Mon-Fri., 8:00AM-5:00PM and Sat. from 9:00AM-3:00PM. Mr. Meraz is the owner/operator with two additional employees.

The applicant was made aware that the ordinance which requires vehicles stored for repair to remain a maximum of one week and have a valid registration. No junk cars are allowed to be stored on site.

J. Korn asked about the Building Safety Division's complaint history and whether or not the issues have been rectified. Staff noted that the only recent issue was in June 2014, when the BSD inspected the property and found excessive tires in the rear yard. The issue has since been resolved and the violation was closed that same month.

S. Cahill asked whether the lot across Franklín Street, owned by the gas station, was being used for vehicles. D. Meraz stated that he does use the lot for vehicles waiting for service but it is not used solely by him and there is no formal lease. People in the neighborhood use it as well as day laborers.

The following Board Policies were included during past renewals #10- The use of banners, flags or string devices, such as lights, flags etc... are expressively prohibited, and #11- Signage, whether temporary or permanent, placed with the windows of a business, shall be limited to twenty percent (20%) of the total window area, must be carried over from the original approval.

The Board must maintain a stipulation that no outside storage of parts, wrecked or damaged motor vehicles, or similar articles, be expressively prohibited. This includes containers, parts, tires, vehicles used for parts, etc....

A term for the special permit was discussed. The Board agreed to issue a 2 year term.

A determination of environmental significance was discussed. Because the project involves no changes and is purely an administrative act of renewal, it can be categorized as a Type II action under SEQR, and therefore is predetermined to have no environmental impact and no SEQR review of the Board is required.

Decision: The Board voted unanimously to render the action a Type II under SEQR and to approve the special permit for a period of 2 years to expire on April 13, 2017 with all original conditions carried forward and a stipulation that no outside storage of parts, wrecked or damaged motor vehicles, or similar articles, is expressively prohibited. This includes containers, parts, tires, vehicles used for parts, etc..... (JD, RJ, MW, CP, JK – yes)

Item #7: **#31 N. Front Street** SPECIAL PERMIT to convert storage space to 2 apartments. SBL 48.314-2-3.120. SEQR Determination. Zone C-2, Heritage Area, Stockade Historic District Ward 2. Turu Illgen Architect PLLC/architect; Wild Lee, LLC/owner.

Discussion: No one spoke at the public hearing. Jennifer & Lee Thompson and Turu Illgen were present at the meeting. J. Wild explained that they recently purchased the building and that they would like to renovate the upper two floors to allow for two, 1-bedroom apartments. The space is currently unused storage space. The applicants said that there is currently no working plumbing or electric on the upper floors.

The ground floor of the building is occupied by “Uncle Willy’s”, a restaurant and pub. The Board asked how long the lease was for the pub. The applicants said that the current lease is 2 years with a 5 year option.

J. Dwyer asked how the apartments will be accessed and how access is separated between the residential and commercial uses. The applicants explained that the apartments will have a separate entrance directly from the street. The stairs will go up to the 2nd floor with a newly located second set of stairs directly ahead of them to access the 3rd floor. The applicants explained that to avoid stairs and access entering a bedroom space, this is the reason for the configuration with the 2nd floor bedroom to the rear of the building while the 3rd floor bedroom is located up front. The Board agreed that the placement of the 2nd story bedroom was important because the rear of the building should encounter less noise from the street.

T. Illgen explained that to allow for the new apartments, the owners will be adding 4 windows (2 on each floor) to both the front and back of the building. They have looked at historic photos of the building to be cognizant of the historic look. He explained that they will be reopening the windows in the same locations but that they were hoping to add larger windows in the rear of the building to take advantage of the view. The applicants are aware that they need to apply and receive approval from both the Historic Landmarks Preservation Commission and the Heritage Area Commission for exterior renovations.

The Board asked about the exterior materials. The building is currently vinyl siding. The applicants stated that they have no plans to change the exterior materials at this time. They hope to establish the apartments to allow for some income before they address the exterior. They also asked about the plans for the parking garage and whether there were any plans to fix the steps. S. Cahill stated that there are plans for the steps and an additional access point off of Fair Street but that at this time, the funds are not available. R. Jacobsen stated that he would encourage and hope that the owners work toward renovating the exterior to create a visual separation between this building and the neighboring buildings. This is an important building due to its highly visible location and changes to the exterior could have a real impact on the streetscape. He stated that he understood the reluctance to invest money into the exterior without knowing what the future of the parking garage will be. The Board and the applicants agreed with the statements. R. Jacobsen requested Planning staff review the exterior plans when they are finalized.

J. Korn noted that the apartments are a nice size with large rooms. The floor plans show that each of the apartments will contain a living room, roughly 15’x17’, a bedroom, roughly 10’x17’, a kitchen, bathroom and closet. The total living space for each apartment is approximately 750sf.

The applicants also requested that the Board waive the parking requirement. There is no parking on site and no opportunity to establish. One-bedroom apartments require 1.5 spaces. The two new units will require a total of 3 spaces. The Board agreed to issue the waiver for the 3 additional spaces based on the proximity to municipal parking lots.

Staff explained to the applicants that due to the location in the mixed use overlay, the special permit requires a term with periodic review by the Board. A term for the permit was discussed, however, section 405-32(F)(1) of the zoning code, states that “the Board shall issue the initial

permit for a period of 1 year. Renewal may be issued for a period determined by the Board.” The Board agreed to the 1 year term.

The applicants were informed that they will need to be landlord registered with the Building Safety Division of the Fire Department because the building will not be owner occupied. It was also requested that a Knox Box be installed on the exterior of the building, if it is not already, to allow for emergency access by the Fire Department.

Board Policy #6 will need to be signed on the plans.

Decision: The Board voted unanimously to render the action a Type II under SEQR and to approve the special permit for a period of 1 year to expire on April 13, 2016 with the following conditions: landlord registration with the Building Safety Division, a Knox Box for emergency access by the Fire Department, review and approval of the Historic Landmarks Preservation Commission and the Heritage Area Commission, and submission of final exterior plans to the Planning Office for review. The Planning Board also unanimously to approve the waiver of the parking requirement for 3 additional spaces due to the proximity of municipal parking lots. (JD, MW, CP, RJ, JK – yes)

Item #8: #449 Broadway SPECIAL PERMIT renewal for 6 cellular antennas. SBL 56.26-10-61. SEQR Determination. Zone C-2. Ward 5. Verizon Wireless/applicant; Verizon New York/owner.

Discussion: No one spoke at the public hearing. Laura Bomyea, attorney with Young Sommer, William Tucci, Rf Engineer for Verizon Wireless, and Gabrielle Elsbree, site acquisitions for Verizon Wireless were present at the meeting. The application is to renew the special permit for 6 antennas that exist on the Verizon building on Broadway. The antennas are mounted on a 70 foot lattice tower. The most recent renewal was in 2010. At that time the tower was upgraded with new antennas. There were no changes proposed to the tower at this time. The antenna is 70ft on an 88ft building.

NOTE: The Board discussed items #8, 9, & 10 together under a single review, as many of the questions were overlapping regarding the three Verizon installations.

The Board asked whether this antenna had the capability to be upgraded to eliminate the need for the two micro antennas being proposed under Item #9 & 10 of the agenda. W. Tucci explained that there is no new technology that would expand service and that adding additional antennas is not an option due to structural capacity and frequency capacity. As it stands, the antenna are at capacity under the current configuration. To add service to the antenna, or additional structures, would require purchase of additional frequency which is not an option at this time.

L. Bomyea told the Board that there are to other macro sites in the immediate area; 1 near the Hudson Valley Mall and the other near the sheriff's station. Each macro antenna is adjusted to point in specific directions to maximize coverage.

The Board discussed a term for the renewal. Staff recommended another 5 year renewal with the stipulation that any future changes that increase the number or size of the antennas return to the Board for an amendment. The Board agreed to a 5 year term.

Board policy #6 has been signed on the plans by the representative.

A determination of environmental significance was discussed. Because the project involves no changes and is purely an administrative act of renewal, it was categorized as a Type II action under SEQR, and therefore is predetermined to have no environmental impact and no SEQR review of the Board is required.

Decision: The Board voted unanimously to render the action a Type II under SEQR and to renew the special permit for a period of 5 years to expire on April 13, 2020. If the size or number of antennas changes within the next 5 years, the applicant will be asked to return to the Board for an amendment. (JD, MW, CP, RJ, JK – yes)

OLD BUSINESS:

Item #9: **#1 Boulevard** SPECIAL PERMIT to install a cellular antenna on the rooftop of an existing Stewarts Shop. SBL 56.124-5-23. SEQR Determination. Zone C-2. Ward 5. Cellco Partnership d/b/a Verizon Wireless/applicant; Stewart's Shops Corp./owner.

Discussion: Laura Bomyea, attorney with Young Sommer, William Tucci, Rf Engineer for Verizon Wireless, and Gabrielle Elsbree, site acquisitions for Verizon Wireless were present at the meeting. The item was tabled at the March meeting with the request that additional information and explanation be provided.

NOTE: The Board discussed items #8, 9, & 10 together under a single review, as many of the questions were overlapping regarding the three Verizon installations.

The proposal is to install a micro antenna for Verizon wireless on an existing Stewart's convenience store. The applicant submitted a full application including a lease agreement that gives Cellco Partnership d/b/a Verizon Wireless the ability to apply for all necessary permits and approvals to move this request forward. The applicants also submitted a full set of plans and details for the installation of the antenna.

The purpose of the antenna is to provide additional wireless network bandwidth and improve performance to the area in the immediate area of the intersection. Due to heavy usage on the Verizon Wireless 4th Generation LTE network generated from this area future usage demand will not be adequately met by the nearby macro sites (449 Broadway). The proposed micro cell is a paired down version of the typical 3-sectored array typically used throughout the County.

The 449 Broadway cell location reached its maximum capacity in 2014 and is currently overloaded providing reduced performance to customers. The area surrounding this site has been identified as a "traffic hotspot". This new antenna will provide localized coverage to the surrounding area and relieve some of the pressure off of the macro antenna on Broadway. The overall affect will be improved performance to all customers in the area.

The actual antenna, called a “cantenna” is approximately 24” by 15” which will be mounted onto the roof of the building for an overall height of approximately 7’ above the 10’ building. The applicant is proposing a faux chimney shield, “stealth screening, to lessen the visual impact.”

At the previous meeting, the Board reviewed the plans for the antenna. The applicant explained that the antenna and mounting system for the Boulevard Stewart’s is more conspicuous than the one proposed for Albany Avenue because of the mansard type of roof at this location. The antennas are exactly the same but the mounts must be different styles. The applicants handed out a packet of other antennas they have installed in the region.

The Board asked if they should expect to see more micro antennas in the future. L. Bomyea provided a map showing potential locations for antennas. She explained that the map provided by Verizon is only to show where antennas could be located to help alleviate pressure from the macro tower. The majority of these are outside the City’s municipal boundary

The proposal also includes the construction of a 4’x8’ concrete pad in the rear of the building to contain the electric and telecommunications equipment. Equipment includes a Telco cabinet and a power panel. The Board asked about the ground equipment and whether there is enough room to install and maintain. The applicants provided a photo of equipment from another location. The photo included a chain link fence, however, the applicants stated that the locations in Kingston will not need a fence because they are in the rear of the building. They also told the board that the equipment is not loud. There will be no generators installed at the sites. The equipment makes less noise than a window air conditioner.

R. Jacobsen asked what service issues Verizon is experiencing due to the overloaded antennas. W. Tucci explained that the user will experience delay with their data service.

A term for the special permit was discussed. The Board agreed to issue a 5 year term to coincide with the 449 Broadway renewal.

Board Policy #6 will need to be signed.

Decision: The Board voted unanimously to render a negative declaration of environmental significance and to approve the special permit for a period of 5 years to expire on April 15, 2020 with the following conditions: stealth screening installed over the antenna and mount to give the appearance of a chimney and Board Policy #6 – signature on final plans. (JD, MW, CP, RJ, JK – yes)

Item #10: #420 Albany Avenue SPECIAL PERMIT to install a cellular antenna on the rooftop of an existing Stewarts Shop. SBL 48.302-3-8.100. SEQR Determination. Zone C-3. Ward 6. Cellco Partnership d/b/a Verizon Wireless/applicant; Stewart’s Shop Corp/owner.

Discussion: Laura Bomyea, attorney with Young Sommer, William Tucci, Rf Engineer for Verizon Wireless, and Gabrielle Elsbree, site acquisitions for Verizon Wireless were present at the meeting. The item was tabled at the March meeting with the request that additional information and explanation be provided.

NOTE: The Board discussed items #8, 9, & 10 together under a single review, as many of the questions were overlapping regarding the three Verizon installations.

The proposal is to install a public utility/personal wireless service facility on an existing Stewart's convenience store. The applicant submitted a full application including a lease agreement that gives Cellco Partnership d/b/a Verizon Wireless the ability to apply for all necessary permits and approvals to move this request forward. The applicants also submitted a full set of plans and details for the installation of the antenna.

The actual antenna, called a "cantenna" is approximately 24" by 15" which will be mounted onto the roof of the building. The antenna will be attached to a non-penetrating mounting system with conduit running across the roof to the rear of the building where the equipment cabinets will be located on a 4'6"x8' concrete pad. Elevations show that the overall height of the building is 18ft. with the top of the antenna reaching an elevation of 22ft. The antenna will be 4ft above the roof.

The project narrative submitted prior to the March meeting explained the need for the request. The purpose of the antenna is to provide additional wireless network bandwidth and improve performance to the area in the immediate area of the intersection. Due to heavy usage on the Verizon Wireless 4th Generation LTE network generated from this area future usage demand will not be adequately met by the nearby macro sites (449 Broadway). The proposed micro cell is a paired down version of the typical 3-sectored array typically used throughout the County.

The narrative goes on to explain the reasoning for this location. The 449 Broadway cell location reached its maximum capacity in 2014 and is currently overloaded providing reduced performance to customers. The area surrounding this site has been identified as a "traffic hotspot" with fast food restaurants, multiple gas stations, vehicle repair, and residential homes. This new antenna will provide localized coverage to the surrounding area and relieve some of the pressure off of the macro antenna on Broadway. The overall affect will be improved performance to all customers in the area.

The Board requested that the "stealth shield" device be installed at this location as well. R. Jacobsen also asked how the wiring would be installed and whether it would run through the building or be mounted to the exterior. The applicants stated that they are not seeking to penetrate the building. The cable will be installed on the exterior of the building. The applicants stated that they could paint the cable to match the building and the roof.

The applicant is leasing a 6x6 foot space on the roof and a 4'6"x8' concrete pad on the ground. Routine maintenance will be conducted 1-3 times per month on an as needed basis. Equipment includes a Telco cabinet, power panel, and a generator. The Board asked whether the equipment will be visible from the neighboring property. The applicants stated that the equipment will be 5 ft. tall which is approximately 1 foot lower than the stockade fence dividing the property. The equipment will be the same as the Boulevard location. There will be no need for chain link fencing at this location either. The equipment will be located in the rear of the building.

A term for the special permit was discussed. There is no term limit for this type of use. The Board agreed to issue a 5 year term to coincide with the other permits.

Decision: The Board voted unanimously to render a negative declaration of environmental significance and to approve the special permit for a period of 5 years to expire on April 15, 2020 with the following conditions: stealth screening installed over the antenna and mount to give the appearance of a chimney, painted cable to match the building/roofing material, and Board Policy #6 – signature on final plans. (JD, MW, CP, RJ, JK – yes)

Item #11: **#9-11 Downs Street** SITE PLAN for operation of an auto sales facility. SBL 56.25-1-22. SEQR Determination. Zone C-3. Ward 4. Serafim Tsiamis/owner.

NOTE: John Dwyer abstained from the discussion for reasons of professional representation of the applicant.

Discussion: Serafim Tsiamis and Jeanne Edwards were present at the meeting. Staff explained that the applicants had provided a plan of the facility and that staff from both the Planning Office and Building Safety Division visited the site on March 20, 2015 to discuss the plan.

The application is to obtain approval to operate an auto sales facility. The owner stated at a previous meeting that he has been operating at this location for 16 years. The name of the business is “ST’s Used Cars”.

The property contains a 2 family residential structure and a rear garage where the auto sales facility is located. The residential portion of the property is registered with the Building Safety Division under Landlord Registration for 2 apartment units. The owner does not live on the property.

When staff visited the site, they discussed parking for the residential tenants as well as for the business. There is an old tree in the rear yard that appears healthy and after further discussion will remain. Staff discussed minor changes with the owner including the removal of brush between this location and the newly constructed mosque and the installation of the stockade fence to act as a screen between properties. Removal of brush will allow for a wider access drive between displayed vehicles. The requirement for access is 16’ with perpendicular parking required to be 9’x18’ and angled parking required to be 9’x19’ spaces (9’x18’ plus 1’ additional length for angled).

The owner is the only employee. Hours of operation are Monday – Friday from 9am-6pm and Saturdays from 10am-5pm. The applicant had stated that sales are primarily from previous customers and word of mouth. The applicant stated that he does not repair cars as part of his business but that he does fix his own cars and make repairs to the vehicles he has for sale.

The application was tabled at the February and March Planning Board meetings to allow the applicant additional time to finalize the site plan drawing. Staff from the Planning Office and Building Department visited the site on March 20th to review the layout of the facility.

The owner had been cited by the Building Safety Division in the past for excessive debris and unlicensed vehicles. The debris has since been removed from the site. The owner has been instructed that tires, car parts and other debris cannot be stored on the site for excessive periods of time. The owner needs to make sure that these items are disposed of in a proper way and in a timely manner. All repair work is to be done within the building and all fluids need to be containerized and disposed of properly.

The only signage for the property consists of a business identification sign on the garage and the required motor vehicle license sign. There is no signage visible from the street and no site lighting for the sales facility.

The owner stated at the previous meeting that the tenants of the residence park on the street but that they are permitted to park on the site, particularly during a snow event. Staff explained that street parking does not count toward the parking requirement listed in the City Zoning Code. The residential portion of the site requires 4 parking spaces. These spaces will now be accommodated in the rear of the house closest to the back door. There are no requirements listed for auto sales; parking spaces must be a minimum of 9'x18' and therefore the parking lot will only be able to handle a certain number of vehicles.

The Board recognized the owner's willingness to improve the site and create a lot that meets all zoning standards for the business and the residents. It is the intention to add elements to screen the rear area and protect the large tree.

Decision: The Board voted unanimously to render a negative declaration of environmental significance and to approve the site plan for an auto sales facility with the condition that Board Policy #6 be signed on the final plans. (WP, JK, MW, CP, RJ – Yes; JD – abstain)

NEW BUSINESS:

Item #12: **#33 Broadway** SITE PLAN to establish wine bar in an existing commercial building. SBL 56.43-5-23. SEQR Determination. Zone RT, Heritage Area, Rondout Historic District. Ward 8. Tracy Kennard/applicant; 8 Doors Up LLC/owner.

Discussion: Tracy and Jamie Kennard; tenants, were present at the meeting. They explained that they are seeking approval to establish a wine bar in an existing commercial space formerly occupied by a barber shop. The wine bar will be called "Brunette" and will offer wine, some beer, and light snacks.

T. Kennard explained that she and her husband have been in the area part time for the past 10 years. She explained to the Board that they signed a 5 year lease with an option for an additional 5 years. They want the Board to know that they are committed to Kingston and to this business.

The Board asked if the applicants have any experience operating this type of business. T. Kennard explained that they do not have any experience with service but that they are both entrepreneurs. Jamie has run a design studio for the past 10 years designing websites and print for small businesses and not-for-profits. Tracy is a consultant for independent designers,

helping them manage their business, marketing, and operations. Prior to her own company, Tracy worked in the fashion industry in NYC for 15 years.

The business will be run by the owners with no additional staff at this time. Hours of operation are expected to be Thursday 5pm-10pm, Friday 5pm-11pm, Saturday 2pm-12am and Sunday 2pm-10pm. Hours will be extended if the demand increases. Small, light snacks will be available including meat and cheese, pickles, bread, etc. The applicants wish to open in the late spring/early summer.

The Board asked whether a full bar is expected in the future. T. Kennard responded that they do not have plans to open a full bar at this time. Neither she nor her husband have experience as bartenders. She said that they do have some knowledge of wine and that they are seeking to create a place that people will stop at before or after dinner for a glass of wine or port. They expect to have a rotating wine list to keep the business fresh and clients coming back.

The applicants have applied for a building permit to renovate the interior with the addition of a bar, office space, storage area, and an increased space to allow for a handicap accessible restroom. There is no kitchen in the space and the applicants do not have any plans to add one at this time.

The Board asked if there are any plans for music or other entertainment. T. Kennard stated that they do not expect to have any bands. If live music were to be offered it would likely be a single acoustic guitarist or something similar.

The applicants are aware that any exterior renovations will need to be approved by both the Historic Landmarks Preservation Commission and the Heritage Area Commission. They have not finalized their signage yet, but are aware that signage will need to be approved as well.

The plans show 25 seats located at the bar and at 5 tables. The parking requirement for a restaurant is 1 space per 3 seats or 1 space per 100sf whatever is greater. The requirement for the business is 8 spaces. The Board agreed to issue a parking waiver for the location based on the proximity to municipal parking lots.

The Board asked if any outside tables were being proposed at this time. The applicants said that they have looked at, and measured the sidewalk to add two small tables near the entrance. This will need to be done in a way that complies with the State Liquor Authority.

The Board asked where the applicant plans to store refuse and recycling and whether City pickup will be utilized or a private hauler will be contracted. The applicants explained that there is an outdoor area in the rear of the building where refuse will be stored. They plan to use City pickup, however, if excessive bottles become an issue, they are prepared to arrange for private pickup.

The following Board Policies were considered: #6 – signature on final plans, #10 – banners, flags and string devices prohibited, #11 – window signage limited to 20%, #19 – compliance with noise ordinance.

The Board requested that a Knox Box be installed on the building. Staff informed the Board that this building as well as others in this area are under a different ownership. This will need to be requested of the owner rather than the applicant if one does not exist already.

Decision: The Board voted unanimously to render the action a Type II under SEQR and to approve the site plan for the wine bar. The Board also voted to waive the parking requirement for 8 spaces based on the proximity of municipal parking lots. The Building Safety Division will be asked to follow-up on a “Knox-Box” application/installation. (WP, JD, MW, CP, RJ – yes)

DISCUSSION:

Item #13: #50 & 86 Rondout Landing DISCUSSION on site plan to renovate a former restaurant into a boat building school and cafe and to add a boat shed addition to the existing Maritime Museum. Special Permit for the restaurant use. SBL 56.43-6-1.200 & 2. Zone RF-R, LWRP, HAC. Ward 8. Maritime Museum; applicant/owner.

NOTE: The proposal was placed on the agenda as a discussion to introduce the project to both the Board and Public, as well as to obtain feedback and comment before moving forward.

Discussion: Paul Jankovitz, project architect, and Dr. Jack Weeks, HRMM Board President, were present at the meeting. A preliminary application and plans were submitted by the Hudson River Maritime Museum (HRMM) to renovate the building formerly occupied by Rosita’s Restaurant and construct an open shed structure for storage. The newly acquired building would be occupied by a boat building school with workshop space, classroom space, a café with food prep area, separate men and women’s bathrooms with shower and dressing area accommodations for boaters to utilize as well as a small laundry room. Existing office space will remain.

Dr. Weeks explained to the Board that the building will offer youths and adults the opportunity to learn boat building. Maritime signage and historic boat restoration will likely be offered in the future as well. There is opportunity to generate income in new and exciting ways at this location. Dr. Weeks explained that the museum has been struggling in their existing location and that they decided it was either time to expand or become a historical society. They ultimately decided to expand. Original plans submitted to staff have been updated and were presented to the Board.

Dr. Weeks explained that the new building will also be a welcome center for boaters. Boaters will be able to use the bathrooms, showers, and laundry services.

P. Jankovitz, AIA, presented the exterior plans for the site. The colors will be changed completely to match the Clearwater Barn. Some renderings will be added to the exterior to illustrate the uses of the building and to allow for more visual interest. At this time, the HRMM is not in the financial position to make any major changes to the building or the façade. Compliance with section 405-31.1, RF-R Development Standards, will need to be confirmed as the plans move forward.

The Board asked about the café component. Dr. Weeks explained that they have been in conversations with some of the restaurant owners in the Rondout to gauge interest in operating the café. The HRMM feels that this is an important component of the plans in that it will generate income and allow visitors to stay and enjoy the property and a possible extension of their exiting business. A portion of the patio will be used for outside dining for the café.

The Board asked about the public access along the waterfront. Dr. Weeks explained that there will be a permanent public access easement along the water. They are working on the language for the easement at this time.

The plan shows outdoor work space occupying a portion the patio. This type of space creates a visual attraction for visitors and also an environment that perpetuates maritime education and history. The applicants should explain the type work to be done on the patio and the hours planned for exterior work. Will any materials be stored outside over night or will everything be brought in at night and out during the day?

Information on deliveries should be provided. Construction materials as well as cafe deliveries will need to be coordinated with other activities that take place along the roadway.

Refuse and recycling will need to be discussed at the next meeting. The placement of a dumpster enclosure should be noted on the plans.

S. Cahill asked whether this property will be combined with the HRMM property. Dr. Weeks said that they will likely be combining the lots. S. Cahill advised the applicants that construction of the shed along the property line will be impacted if the lots are not combined. Setbacks will need to be complied with or variances will need to be obtained.

Both a full lighting and signage plan, each with details, should be provided. The color rendering shows signage is shown on the building “RiverPort Wooden Boat Building School.” The applicants told the Board that there will likely be signage along the creek side as well. Elevations of the creek side of the building will need to be submitted.

Parking is not shown on the plans. Limited parking is available due to site constraints and space utilization. The majority of the requirement will need to be considered for a parking waiver or it will require a variance. Handicap parking will need to be shown as well with pavement markings and signage. Prior plans for the restaurant use show handicap parking and access, but changes may be necessary given the new uses.

Other Reviews –

Heritage Area Commission – Coastal Consistency Review is required due to the location in the LWRP. Review is also required by the HAC for the exterior changes.

Ulster County Planning Board – Staff will review the referral requirements for the UCPB to determine if referral is necessary.

Zoning Board of Appeals – A determination will need to be made as to whether a variance is needed for parking or for setbacks for shed.

Board Policies – #4 & 4a – lighting levels and corrections if necessary, #6 – signature on final plans, #7 & 7a – approvals and applied contingencies limited to 1 year, #10 – banners and flags prohibited, #11 – window signage limited to 20%, #12 – emptying of dumpsters between regular business hours, #14 – dig safely, #19 – compliance with noise ordinance.

Decision: There was no formal decision on the discussion. The applicants are hoping to return to the Board at the May meeting with a formal application.

CURB CUT:

Item #14: **#6 Browning Terrace** CURB CUT request to widen the existing curb cut from 14ft. to 18ft. SBL 56.89-1-46. SEQR Determination. Zone R-1. Ward 1. Loretta D. Ede; applicant/owner.

Discussion: The applicant was not present. Staff explained that the property owner is requesting approval to widen the curb cut for her driveway. The curb cut is roughly 14ft wide but the actual asphalt driveway is 18ft wide. The expansion would allow the curb cut to line up with the existing driveway. The applicant explained in conversation with staff that she had damaged her car because she did not correctly judge the curb. C. Polacco expressed issue with the applicant not being present to represent the application. S. Cahill explained that the owner did call the office to explain that she would be out of town and unable to make the meeting. Staff told her that they would keep it on the agenda rather than waiting an additional month for review, due to the minor nature of the request. C. Polacco explained that he did not appreciate staffs decision. The Board did ultimately agree to vote on it without a representative present.

The application is considered an unlisted action under SEQR. A determination of environmental significance was discussed.

Decision: The Board voted unanimously to render a negative declaration of environmental significance and to approve request to widen the curb cut to roughly 18ft. to match the width of the existing driveway. (WP, JD, MW, CP, JK – yes)